

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

Civil Action No. 1:21-cv-

AFTER 2 MOVIE, LLC, et al.,

Plaintiffs,

v.

RCN TELECOM SERVICES, LLC, et al.

Defendants.

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**DECLARATION OF JOSHUA LEE**

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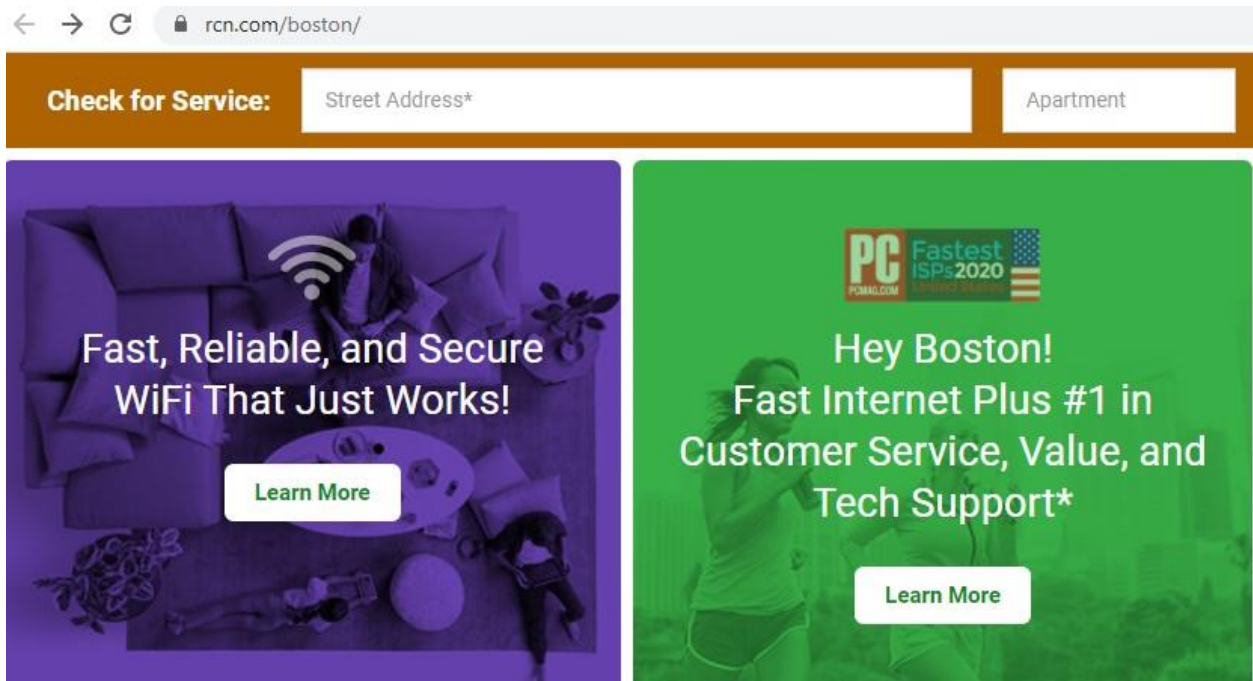
JOSHUA LEE, hereby declares under penalty of law that the following is true and correct:

1. I am an associate attorney with the law firm Culpepper IP, LLLC in Kailua Kona, HI. Culpepper IP, LLLC represents the Plaintiffs in various actions throughout the United States.

2. I have personal knowledge of the matters stated herein.

3. On or around July 21, 2021, I visited Defendant's website "<https://www.rcn.com>".

Below is a true and accurate screenshot of the website:



4. On or around July 21, 2021, I visited Defendant's website

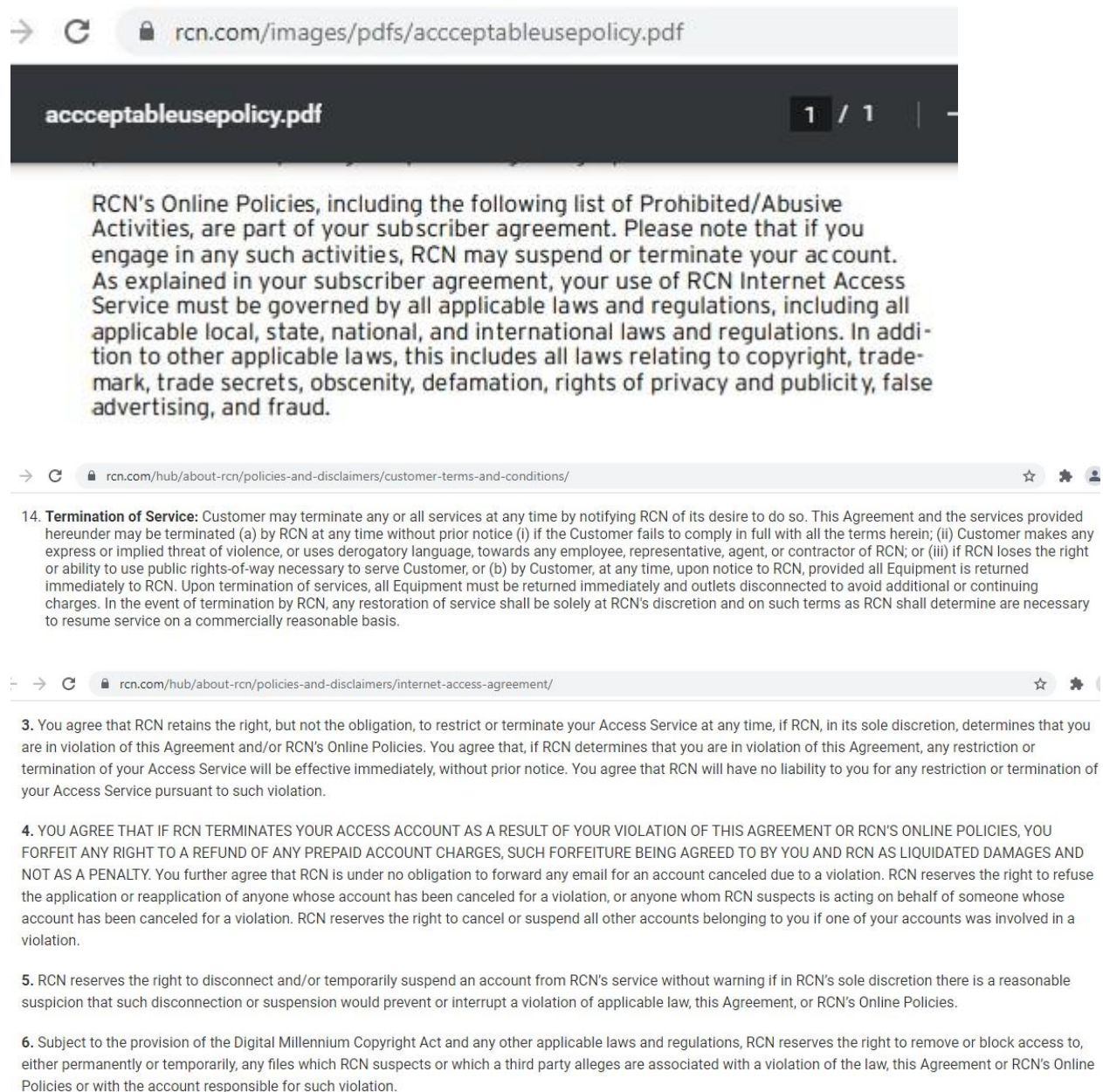
"https://www.rcn.com/hub/max-your-speed/speed-test/". Below is a true and accurate screenshot of the website:



5. On or around July 21, 2021, I accessed Defendant's Acceptable Use Policy at

"https://www.rcn.com/images/pdfs/acceptableusepolicy.pdf", Terms and Conditions at

“<https://www.rcn.com/hub/about-rcn/policies-and-disclaimers/customer-terms-and-conditions/>”, and Internet Access Agreement at “<https://www.rcn.com/hub/about-rcn/policies-and-disclaimers/internet-access-agreement/>”. Below are true and accurate screenshots:

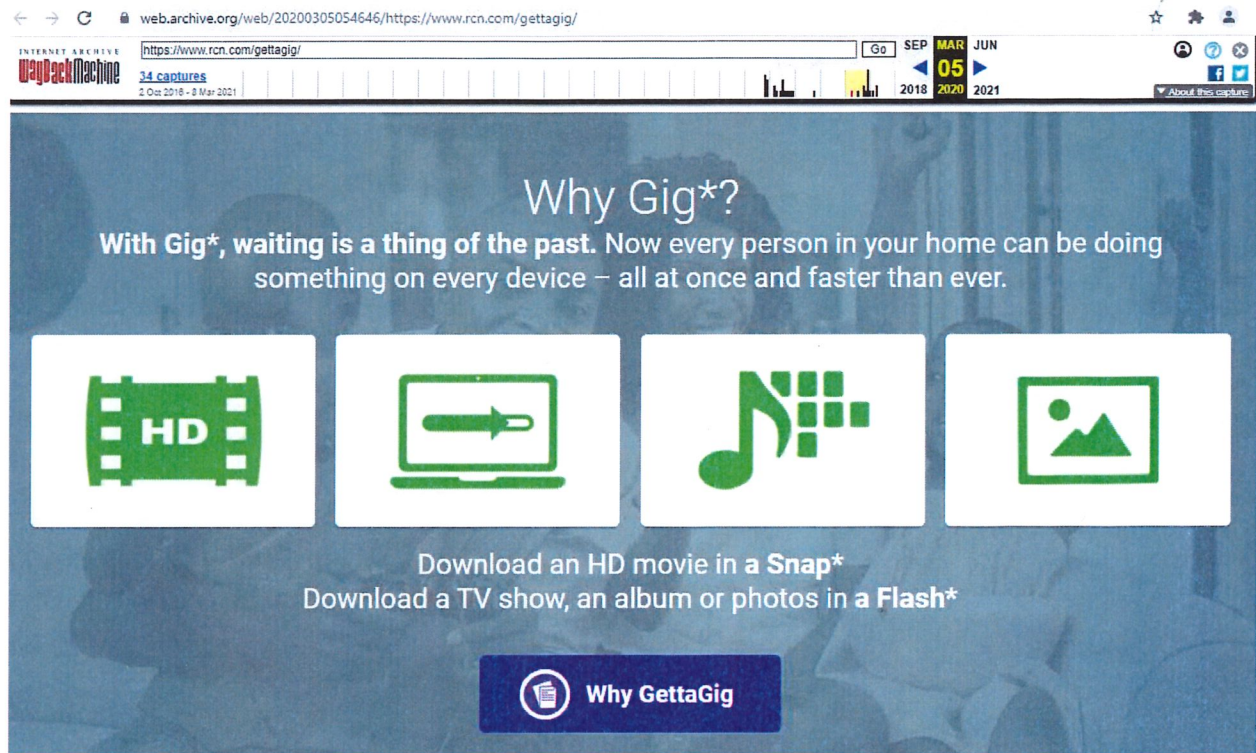


6. On or around July 22, 2021 I used the website Internet Archive Wayback Machine at <https://archive.org/web/> (“Wayback”) to view archives of Defendants’



website for RCN TELECOM SERVICES, LLC at [www.rcn.com](http://www.rcn.com). I have used the Wayback archives before and have found them to be reliable.

7. On or around July 22, 2021, I searched for archives of the web address "[www.rcn.com/gettagig](http://www.rcn.com/gettagig)". Below are true and accurate screenshots of the Wayback website displaying the page as it appeared on March 5, 2020:



I declare under penalty of perjury that the foregoing is true and correct.

DATED: Kailua-Kona, Hawaii, August 9, 2021.

A handwritten signature in blue ink, appearing to read "Joshua Lee", written over a horizontal line.

Joshua Lee

CULPEPPER IP, LLLC